



IPW

B&B-135

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

DAVID RAAB ET AL.

Serial No.: 10/539,208

Filed: MAY 24, 2006

For: METHOD AND DEVICE FOR
OPTIMIZING A NUCLEOTIDE
SEQUENCE FOR THE PURPOSE
OF EXPRESSION OF A PROTEIN

Art Unit: 1644

Examiner: UNKNOWN

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants wish to make of record in the above-identified application the document or documents referenced on the attached Form PTO-1449. A copy of each non U.S. reference is enclosed herewith.

The cited references are mentioned in the Search Report (copy enclosed) of applicant's corresponding International patent application and in the Office Action received from the German Patent Office in the corresponding German patent application and are believed relevant for at least that reason.

The undersigned believes that this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Accordingly, Applicants do not believe that a fee is due for filing this paper. However, should a

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first action on the merits have been issued on the same day or before this Information Disclosure Statement is filed, please accept this Information Disclosure Statement under Rule 97(c) and charge the requisite Rule 17(p) fee to our Deposit Account No. 50-2613 under Order No. B&B-135 (71782-01101) and proceed to consider this Information Disclosure Statement.

It is respectfully requested that the information be expressly considered during the prosecution of this application, and that each reference be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This submission does not represent that any referenced document is material or constitutes "prior art." If it should be determined that one or more of the referenced documents constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of the reference or references.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over any referenced document, should it be applied against the claims of the present application.

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Respectfully submitted,

DAVID RAAB ET AL.

Date: December 12, 2007

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